



U.S. Department of Justice

Michael J. Sullivan
United States Attorney
District of Massachusetts

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse
1 Courthouse Way
Suite 9200
Boston, Massachusetts 02210

March 15, 2006

James L. Sultan, Esquire
151 Merrimac Street, 2nd floor
Boston, MA 02114-4717

Re: United States v. Joseph Allen

Dear Mr. Sultan:

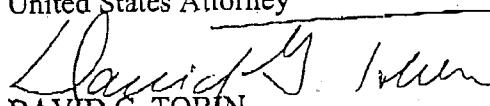
Please be advised that the United States anticipates introducing the following Federal Rule of Evidence 404(b) evidence at your client's trial: your client sold cocaine on more than one occasion (see previously provided testimony of Randy James Gibbs), and your client repeatedly used illegal drugs. The United States reserves the right to provide the defense with notice of additional 404(b) evidence.

As we discussed, the United States expects to introduce evidence that on at least twenty-five occasions your client obtained OxyContin from co-defendant Joseph Baldassano with the intent to distribute the OxyContin (see previous letter pertaining to Mr. Baldassano's interview). Mr. Baldassano will testify that your client informed him on those occasions that he had buyers for the OxyContin. The United States also anticipates introducing evidence that on numerous occasions your client delivered OxyContin to Mr. Baldassano's customers on behalf of Mr. Baldassano. The United States also expects to introduce testimony that your client pressured an individual who owed money to Mr. Baldassano to repay the debt. The United States does not believe the above-detailed evidence falls within 404(b), but rather is part of the charged OxyContin conspiracy.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:


DAVID G. TOBIN
Assistant U.S. Attorney